

Appl. No. 10/064,605
Amdt. Dated 28 April 2005
Reply to Advisory action of 7 April 2005
(accompanying RCE)

REMARKS/ARGUMENTS

This case has been carefully reviewed in light of the Office Action dated February 2, 2005, and in light of the Advisory Action dated April 7, 2005, wherein claims 1, 2, 4-9 and 11-19 are rejected. Claims 1, 2, 4-9 and 11-19 are pending in the application. Reconsideration of the rejections in light of the above amendments and following remarks is respectfully requested.

Claims 1-2, 5-9, 12-14 and 19 have been rejected as unpatentable over Margiott 2002/0086200 in view of Pfeiffer 4781248. Applicant respectfully traverses the rejection.

As stated in the prior amendment with respect to claims 1 and 7, the "ribs" of Margiott, for example the straight channels and the interdigitated channels, would not appear to be in physical contact, even during the folding, because of the need for an intervening anode layer. Applicants did not find a section of the present Office Action addressing this recitation or argument.

Furthermore, with respect to claims 1, 7, and 19, the references, even if combined, do not teach, suggest, or disclose the recitations of:

wherein said top channel and said bottom channel are disposed to allow an initial flow of a single fluid therethrough in a top direction through said top channel and a bottom direction through said bottom channel, the top direction and the bottom direction comprising different directions, and disposed to allow a portion of said fluid to alternate between said top channel and said bottom channel at a flow redirection area so as to enhance the heat transfer rate between said fluid and said fuel.

With respect to the directions (present in claims 1, 7, and 19), the present Office Action, page 6, states that Margiott does not expressly disclosed the specific bottom/ upper ribs providing channels having different directions and cites the new reference of Pfeiffer.

However, as stated in Applicant's prior response, Pfeiffer appears to use two distinct fluids that never alternate with each other (column 5, lines 13-36). The Advisory Action objected to this line of Applicant's argument with a statement that this limitation is not in the claims. Although Applicant believes the claim to be clear as written previously, to expedite prosecution, Applicant has amended claims 1, 7, and 19 to more explicitly recite the limitation.

Claims 2, 5-6, 8-9 and 11-14 depend directly or indirectly on claims 1 or 7 and therefore define allowable subject matter over the applied art. Therefore claims 2, 5-6, 8-9 and 11-14 are believed to be similarly allowable over the applied references.

Claims 4, 11 and 15-18 are rejected as unpatentable over Margiott in view of Pfeiffer, and further in view of Wu et. Al. 2002/0026999. Claims 4, 11 and 15-18 depend

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directly or indirectly from claims 1 and 7. Applicants respectfully submit that Claims 1 and 7 are patentably distinct from the applied references for the reasons discussed above regardless of cavity shape. Therefore claims 4, 11 and 15-18 are believed to be similarly allowable over the applied references.

Claims 4, 11 and 15-18 are rejected as unpatentable over Margiott in view of Pfeiffer, and further in view of Thonon et. al. 5806584. Claims 4, 11 and 15-18 depend directly or indirectly from claims 1 and 7. Applicants respectfully submit that Claims 1 and 7 are patentably distinct from the applied references for the reasons discussed above regardless of cavity shape. Therefore claims 4, 11 and 15-18 are believed to be similarly allowable over the applied references.

Withdrawal of the rejections is respectfully requested, and allowance of the claims is respectfully solicited.

Summary

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Should the Examiner believe that anything further is needed to place the application in even better condition for allowance, the Examiner is requested to contact Applicant's undersigned representative at the telephone number below.

Respectfully submitted,

By Ann M. Agosti
Ann M. Agosti
Reg. No. 37,372
General Electric Company
Building K1, Room 3A66
Niskayuna, New York 12309
Telephone: (518) 387-7713